IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No.196 of 2007

DATE OF ORDER: 29-1-2007

Sunil Dhawan & Another

...Petitioner(s)

Versus

Alka Dhawan & Others

....Respondent(s)

CORUM : HON'BLE MR. JUSTICE M.M. AGGARWAL

.*.*.*.

Present: Mr. Chetan Mittal, Advocate.

M.M. AGGARWAL,J

This is petition against order dated 18.10.2006 passed by Civil Judge(Jr.Divn.), Chandigarh whereby amendment in the plaint as prayed by the plaintiff was allowed subject to payment of costs.

Counsel for the petitioners argues that the amendment, which has been sought, will amount to withdrawing admission already made and that the suit is itself time barred and now amendment has been sought after three years of filing the suit and that if the amendment is allowed, it will change the nature of the suit.

I have gone through the order. The suit appears to be at initial stage when the application for amendment was made.

I do not find any good ground to interfere. This petition is dismissed. However, the effect of admissions, if any, made and then withdrawn may be taken into consideration by the trial Court at the relevant time of deciding the case.

January 29, 2007 (M.M. AGGARWAL)
manoj JUDGE